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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,728	02/26/2002	John Erik Hershey	RD-27,856	4694

7590 11/07/2005
THOMAS CANNON
1010 Eastbourne Drive
Laplata, MD 20646

EXAMINER

GHULAMALI, QUTBUDDIN

ART UNIT PAPER NUMBER

2637

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/082,728

Applicant(s)

HERSHEY ET AL.

Examiner

Qutub Ghulamali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22, 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to applicant's Remarks/Arguments filed on 08/31/2005.
2. The applicant has cancelled claims 22-24, filed 08/31/2005.

Response to Remarks/Arguments

3. Applicant's remarks/arguments filed 08/31/2005, in response to the Office Action of May 31, 2005, with reference to rejection of claims 1, 14 and 25 under 35 USC 102(e) to Richards and McCorkle, has been fully considered but is not persuasive. The applicant alleges that (in light of the amended claims 1, 14) Richards (1081) does not disclose or teach "a receiver front end downconverter" and "producing ultra wideband downconverted pulses from the transmitter reference ultra wideband communication signal" and further asserts that Richards (in light of the amended claim 25) does not disclose "receiving the transmitted reference ultra wideband communications signals using an antenna" and "down converting the transmitted reference ultra wideband communications signals into downconverted ultra wideband pulses".

The Examiner's response - The examiner contends that the prior arts very clearly disclose amended claim limitations of claims 1, 14 and 25. The examiner respectfully would like to draw applicant's attention to Richards (sections 0184, 0186) clearly disclosing a front end with correlator that converts RF pulse train (waveform representative of the transmitted pulse produced by a ultra-wideband antenna) into a baseband signal (down conversion). Here the

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down conversion is inherently implied within an impulse radio communication transmitter and receiver.

As per applicants assertion, with reference to limitations of claim 25, the examiner again would respectfully would like to draw applicant's attention to fig. 16, element 1502 showing an antenna as a receiving element for communication signals linked directly to RF front end and fig. 8A showing correlator for receiving wideband signals and fig. 18 showing correlator pair (1802, 1804) arrangement to a sampling channel in the impulse radio in fig. 16.

Based on disclosed information by Richards, the examiner firmly believes that Richards clearly addresses the claimed limitations recited in claims 1, 14 and 25. The claim rejection is, therefore, maintained.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qutub Ghulamali whose telephone number is (571) 272-3014.

The examiner can normally be reached on Monday-Friday from 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QG.
November 3, 2005.


JEAN B. CORRIELUS
PRIMARY EXAMINER

11-4-05